

**ADE & COMPANY  
PATENT AND TRADEMARK AGENTS**

Adrian D. Battison, B.Sc.  
(F.C.I.P.A. (London))

Michael R. Williams.  
Ryan W. Dupuis

Technical Assistants  
James Battison

**FAX RECEIVED****MAY 08 2002****GROUP 1600**

Suite 1700 Winnipeg Square  
360 Main Street  
Winnipeg, Manitoba  
Canada R3C 3Z3

Consultants  
Ronald S. Ade  
Steven Z. Raber

**82402-3802****FACSIMILE COVER LETTER****PLEASE DELIVER THE FOLLOWING PAGES TO:****NAME: Commissioner of Patents – Suryaprabha Chunduru****FROM: Ade & Company – Michael R. Williams****TOTAL NUMBER OF PAGES 10 INCLUDING THIS COVER LETTER.****DATE: May 7, 2002**

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**RE: United States Patent Application no: 09/720,206**  
**Guy et al**  
**Nonsymbiotic Plant Hemoglobins to Maintain Cell Energy Status**  
**EXAMINER –Suryaprabha Chunduru GROUP 1656**

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**TELEPHONE (204)-947-1429****FACSIMILE (204)-942-5723****OPERATOR: Doris Jones**

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GROUP 1600

Attorney Docket # 82402-3802

EXAMINER Suryaprabha Chunduru  
GROUP 1656  
APPLICANT Guy et al.  
SERIAL NO: 09/720,206  
FILED May 3, 2001  
FOR NONSYMBIOTIC PLANT HEMOGLOBINS TO MAINTAIN  
CELL ENERGY STATUS

#12 / Amended  
C  
(N2)

Commissioner of Patents  
Washington, D.C., 20231  
U.S.A.

Dear Sir:

Further to our telephone conversations of May 1, May 2 and May 7,  
and responsive to the office action dated February 8, 2002:

In the Claims:

Claims 28-38 are of record in this case.

Claims 28-38 stand rejected.

Please amend the claims as follows:

28.(amended) A method of Improving the agronomic  
properties of a plant comprising:  
maintaining plant vigor and hardiness under stressful conditions by  
providing [a] the plant [having] with increased cellular levels of a nonsymbiotic  
plant hemoglobin; and  
growing the plant under stressful conditions, thereby allowing the  
plant to develop more vigorously under adverse conditions.

29. The method according to claim 28 wherein the nonsymbiotic